

**FEDERAL DEPOSIT INSURANCE
CORPORATION, as Receiver for
THE BANK OF ASHEVILLE,**

Plaintiff,

vs.

**ANDREW Q. HAGER and EDWARD
H. WORLUND,**

Defendants.

THIS MATTER is before the Court on the Defendant Edward H. Worlund's Suggestion of Bankruptcy [Doc. 30].

The Defendant Edward H. Worlund has filed a notice with the Court that he filed a bankruptcy case under Chapter 7 of the United States Bankruptcy Code on January 22, 2012. [Doc. 30].

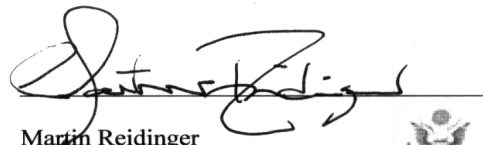
It is well-settled that "[w]hen litigation is pending against the debtor at the time a bankruptcy case is commenced, the litigation is stayed automatically." 3 Collier on Bankruptcy ¶ 362.03[3] (16th ed. 2011); see also 11 U.S.C. § 362(a)(1) (providing that a bankruptcy petition operates as an automatic stay of "the commencement or continuation . . . of a judicial,

administrative, or other action or proceeding against the debtor"). Accordingly, the Court will consider this action stayed as against Defendant Worlund only. All other claims pending in this action remain unaffected by this stay.

Accordingly, **IT IS, THEREFORE, ORDERED** that this action is hereby **STAYED** as against the Defendant Edward H. Worlund only.

IT IS SO ORDERED.

Signed: March 6, 2012


Martin Reidinger
United States District Judge

